

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, September 16, 1935.

Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills to whom was referred

H. C. R. No. 1, Inviting Governor
James V. Allred to deliver his message
to a joint session of the House and
Senate at 12:30 p. m., September 16,
1935.

Has carefully compared same and
finds it correctly enrolled.

ROANE, Vice-Chairman.

THIRD DAY

(Wednesday, September 18, 1935)

The House met at 10:00 o'clock a.
m., pursuant to adjournment, and was
called to order by Speaker Stevenson.

The roll was called, and the follow-
ing Members were present:

Mr. Speaker	Dickison
Adanison	Dunagan
Adkins	Dunlap of Hays
Aikin	Dunlap of Kleberg
Alexander	Duvall
Alsup	Dwyer
Ash	England
Atchison	Fain
Beck	Farmer
Bergman	Fisher
Bourne	Ford
Bradbury	Fox
Bradford	Frazer
Broyles	Fuchs
Burton	Gibson
Butler of Brazos	Glass
Butler of Karnes	Good
Cagle	Graves
Caldwell	Gray
Calvert	Greathouse
Canon	Hankamer
Celaya	Hanna
Clayton	Hardin
Collins	Harris of Archer
Colquitt	Harris of Dallas
Colson	Hartzog
Cooper	Head
Cowley	Herzik
Craddock	Hill
Crossley	Hodges
Daniel	Hofheinz
Davis	Holland
Davison of Fisher	Hoskins
Davisson	Howard
of Eastland	Huddleston

Hunt	Petsch
Hunter	Pope
Hyder	Quinn
Jackson	Reed of Bowie
James	Reed of Dallas
Jefferson	Riddle
Jones of Atascosa	Roach of Angelina
Jones of Shelby	Roach of Hunt
Jones of Wise	Roane
Keefe	Roark
King	Roberts
Knetsch	Rogers
Lanning	Russell
Latham	Rutta
Leath	Scarborough
Lemens	Sessions
Leonard	Settle
Lindsey	Shofner
Lotief	Smith
Lucas	Stanfield
Luker	Steward
McCalla	Stinson
McConnell	Stovall
McFarland	Tarwater
McKinney	Tennyson
Moffett	Thornton
Moore	Tillery
Morris	Venable
Morrison	Waggoner
Morse	Walker
Newton	Wells
Nicholson	Westfall
Olsen	Wood of Harrison
Padgett	Wood of Montague
Palmer	Worley
Patterson	Young
Payne	Youngblood

Absent—Excused

Fitzwater	McKee
Jones of Falls	Reader
Lange	Spears
Mauritz	

A quorum was announced present.

Rev. George W. Coltrin, Chaplain,
offered the following invocation:

"Our Heavenly Father, in the press
and urge of our own important affairs
may we not forget Thee. 'May the
words of our mouths and the medita-
tions of our hearts be acceptable to
Thee, O, Lord, our God and our Re-
deemer'. For Christ's sake, Amen."

LEAVES OF ABSENCE GRANTED

The following members were
granted leaves of absence on account
of important business:

Mr. Jones of Falls for today, on mo-
tion of Mr. Adkins.

Mr. Lange for today, on motion of
Mr. Walker.

Mr. Spears for today, on motion of Mr. Roane.

The following member was granted leave of absence on account of illness:

Mr. McKee for today, on account of illness in his family, on motion of Mr. Knetsch.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Morse:

H. B. No. 13, A bill to be entitled "An Act amending Subsections (a), (b), (c), (d) and (e) of Section 5 of Chapter 116, Acts of the Regular Session, Forty-third Legislature; and amending Paragraph 1 of Sub-section (a) of Section 6 of Chapter 116, Acts of the Regular Session, Forty-third Legislature; and declaring an emergency."

Referred to Committee on Liquor Traffic.

By Mr. Morse:

H. B. No. 14, A bill to be entitled "An Act to amend Section 9 of Chapter 116, General Laws of the State of Texas, passed by the Forty-third Legislature, relating to the manufacture and sale of beer in Texas, so as to make it unlawful for any manufacturer or distributor of beer, directly or indirectly or through a subsidiary or affiliate, and agent or any employee, or by any officer, director or firm member, to own any interest in premises or the license upon or under which beer is sold for consumption on the premises; etc., and declaring an emergency."

Referred to Committee on Liquor Traffic.

By Mr. Patterson:

H. B. No. 15, A bill to be entitled "An Act amending Subdivision 18 of Article 1302, Revised Civil Statutes of Texas of 1925; and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Morrison and Mr. Payne:

H. B. No. 16, A bill to be entitled "An Act to provide an old age assistance system for resident citizens over

the age of 65 years; providing for the administration by the newly created State Board of Pensions through county administrators, appointed by such Board in certain counties, and through the county commissioners courts in the other counties; creating the State Board of Pensions consisting of three members with a salary of \$4,000.00 per year each; etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Glass, Mr. Lemens, Mr. Hardin, Mr. Colson, Mr. Huddleston, Mr. Jones of Shelby, Mr. Luker, Mr. Youngblood, Mr. Tillery, Mr. Celaya, Mr. Palmer, Mr. Dwyer, Mr. Leath, Mr. Roach of Angelina and Mr. Young :

H. B. No. 17, A bill to be entitled "An Act appropriating Seventy Million (\$70,000,000) Dollars for the purpose of paying old age pensions in Texas during the remainder of the present biennium; providing for the payment to all persons past sixty-five (65) years of age with certain exceptions; providing for the creation of the State Pension Board to administer these pensions; etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Head, Mr. James, Mr. Atchison, Mr. Fain, Mr. Hofheinz, Mr. Colson, Mr. Canon, Mr. Settle, Mr. Hanna, Mr. Hunter, Mr. Cooper, Mr. Roark, Mr. Reed of Bowie, Mr. England, Mr. Wells, Mr. Tennyson, Mr. Shofner, Mr. Lemens, Mr. Glass, Mr. Calvert, Mr. Lanning, Mr. Scarborough, Mr. Lange, Mr. Davison of Fisher, Mr. Davis, Mr. McConnell, Mr. Bradbury, Mr. Hoskins, Mr. Thornton, Mr. Steward, Mr. Morris, Mr. Dunlap of Hays, Mr. Herzik, Mr. McKee, Mr. Hardin, Mr. Lotief, Mr. Newton, Mr. Roach of Hunt, Mr. Jones of Falls, Mr. Young, Mr. Harris of Dallas, Mr. Jackson, Mr. Leath, Mr. Harris of Archer, Mr. Keefe, Mr. Lucas, Mr. Stovall, Mr. Jones of Shelby, Mr. Jones of Wise, Mr. Cagle, Mr. Westfall, Mr. Venable, Mr. Alsup, Mr. Collins, Mr. Youngblood, Mr. Hyder, Mr. Bergman, Mr. Rutta, Mr. Graves, Mr. Petsch, Mr. Payne, Mr. Daniel, Mr. Cowley, Mr. Hunt, Mr. Worley, Mr. Fuchs, Mrs. Moore, Mr. Great-house, Mr. Smith, Mr. Davisson of

Eastland, Mr. Wood of Harrison, Mr. Hartzog, Mr. Patterson, Mr. Adkins, Mr. Tillery, Mr. Hodges, Mr. Nicholson, Mr. Lindsey and Mr. Padgett:

H. B. No. 18, A bill to be entitled "An Act requiring licenses for the operation, maintenance, opening or establishment of stores in this State, prescribing the license and filing fees to be paid therefor, and the disposition thereof; providing for certain exceptions and fixing the powers and duties of the Comptroller of Public Accounts in connection therewith; etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Palmer and Mr. Lotief:

H. B. No. 19, A bill to be entitled "An Act requiring licenses for the operation, maintenance, opening or establishment of stores in this State, prescribing the license and filing fees to be paid therefor, and the disposition thereof, and the powers and duties of the Comptroller of Public Accounts in connection therewith, and prescribing penalties for the violation thereof, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Quinn, Mr. Roark, Mr. Olsen, Mr. Fuchs, Mr. Stovall and Mr. Russell:

H. B. No. 20, A bill to be entitled "An Act levying and providing for the payment of a state occupation tax on the producing, distributing, exporting and importing of natural gas; requiring reports to be made and records to be kept by those engaged in the business, and providing for the inspection thereof by certain public officials, their employees or representatives; etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Shofner and Mr. Tennyson:

H. B. No. 21, A bill to be entitled "An Act to amend Article 7060 Revised Civil Statutes of the State of Texas, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Shofner:

H. B. No. 22, A bill to be entitled "An Act to amend Article 7078, Re-

vised Civil Statutes, 1925, so as to provide that counties, cities and towns shall collect an occupation tax on individuals, companies, corporations, or associations owning, operating, managing, or controlling any gas, electric light, electric power, or water works, or water or light plants, equal to one-half the occupation tax now levied by the State, or which may hereafter be levied by the State; providing that reports shall be made to the tax collectors of counties, cities and/or towns, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. McKinney, Mr. Hyder, Mr. Tillery, Mr. Tarwater, Mr. King and Mr. Fisher:

H. B. No. 23, A bill to be entitled "An Act validating, legalizing and approving severally all the Acts of the Board of Regents of the University of Texas, the Board of Directors of the Agricultural and Mechanical College, the Board of Directors of the Texas Technological College, the Board of Regents of the State Teachers College, the Board of Regents of the College of Industrial Arts, and the Board of Directors of the College of Arts and Industries, in the authorization and issuance of bonds, notes or warrants heretofore issued or that have heretofore been authorized but not yet issued, validating and approving the pledge of revenues to the payment of said bonds, and declaring an emergency."

Referred to Committee on Education.

By Mr. Knetsch and Mr. Lindsey:

H. B. No. 24, A bill to be entitled "An Act to amend Article 704, Revised Civil Statutes of Texas of 1925, so as to provide that the election order shall designate the time and place of holding the election; that such election shall be held not less than 15 or not more than 30 days from the date of such order and that notice shall be given by posting a copy of the election order in each election precinct not less than 14 days before the election and in addition shall be published on the same day in each of two successive weeks in a newspaper of general circulation published within said county or city, etc., and declaring an emergency."

Referred to Committee on Privileges, Suffrage and Elections.

By Mr. Knetsch:

H. B. No. 25, A bill to be entitled "An Act providing that all bonds, notes or warrants, heretofore issued, or which have been authorized but not yet issued, or which may be hereafter issued under the provisions of Articles 1111 to 1118, inclusive, Revised Civil Statutes of Texas for 1925, including all amendments thereto, to aid in financing any undertaking for which a loan or grant has been made by the United States through the Federal Emergency Administration of Public Works shall be negotiable instruments, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Knetsch:

H. B. No. 26, A bill to be entitled "An Act amending Section 2 of Chapter 109, Acts of the First Called Session of the Forty-third Legislature, by providing that warrants issued under subdivision (b) thereof shall be negotiable and that the same may be sold for not less than par value to the United States of America, acting through the Federal Emergency Administrator of Public Works or other Federal agency, and further providing that all warrants heretofore issued under subdivision (b), shall be negotiable instruments, etc., and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Knetsch:

H. B. No. 27, A bill to be entitled "An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by water control and improvement district, water improvement district, irrigation district, conservation and reclamation district, navigation district, road district, school district, county, city or incorporated town of this State for public works projects."

Referred to Committee on Judiciary.

By Mr. Knetsch:

H. B. No. 28, A bill to be entitled "An Act validating and approving all proceedings had by cities and towns in the issuance and sale of revenue obligations under the provisions of Articles 1111 to 1118, Revised Civil Statutes of 1925, as amended, to aid in financing any undertaking for which a loan or grant has been made by the

United States through the Federal Emergency Administration of Public Works, or any other governmental agency, declaring that such bonds, notes or warrants shall be valid and binding special obligations of such cities or towns, and validating the pledge of revenues to the payment of said bonds, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Knetsch:

H. B. No. 29, A bill to be entitled "An Act validating and approving all Acts of the governing bodies of cities and towns of the State of Texas in the issuance and sale of bonds, to aid in financing any undertaking for which a loan or grant has been made by the United States through the Federal Emergency Administration of Public Works or other agency of the United States Government, etc., and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Knetsch:

H. B. No. 30, A bill to be entitled "An Act validating all school districts heretofore established, validating all elections and the levy of taxes by school districts, validating all proceeding had in the issuance of bonds and the levying of taxes therefor, validating bonds heretofore authorized or voted but not yet issued, when such bonds are to be used in financing any undertaking for which a loan or grant has been made through the Federal Emergency Administrator of Public Works; providing that this Act shall not apply to districts which may have been established or consolidated and later returned to its original status, etc., and declaring an emergency."

Referred to Committee on School Districts.

By Mr. Thornton, Mrs. Moore, Mr. Padgett, Mr. Hartzog, Mr. McKinney, Mr. Steward, Mr. Craddock, Mr. Morris, Mr. Calvert, Mr. Bergman, Mr. Head, Mr. Alexander, Mr. Celaya, Mr. McKee, Mr. Jones of Wise, Mr. Daniel, Mr. Keefe, Mr. Roark, Mr. Westfall, Mr. Lange, Mr. McCalla, Mr. King, Mr. Jones of Atascosa, Mr. Lucas, Mr. Wells, Mr. Collins, Mr. Colquitt, Mr. Spears, Mr. Jackson, Mr. Latham, Mr. Patterson, Mr. Hyder, Mr. Fox,

Mr. Petsch, Mr. Reed of Dallas, Mr. Lindsey, Mr. Atchison, Mr. Shofner, Mr. Hunter, Mr. England, Mr. Lanning, Mr. Jones of Falls, Mr. Herzik, Mr. Cooper, Mr. Walker, Mr. Graves, Mr. Hofheinz, Mr. Colson, Mr. Jefferson, Mr. Harris of Dallas, Mr. Morse and Mr. Dwyer:

H. B. No. 31, A bill to be entitled "An Act making an appropriation out of the General Revenue Fund in the sum of Two Hundred Thousand Dollars (\$200,000.00), to be used in the building of a Texas Supreme Court Memorial Building at Austin, Texas, on the tract of land hereinafter appropriated by the Legislature for such purpose, said tract being located on the corner of Congress Avenue and Eleventh Street, in the City of Austin, Texas; etc., and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Reed of Bowie, Mr. Roach of Hunt and Mr. Cagle:

H. B. No. 32, A bill to be entitled "An Act to create an Old Age Pension System; to define an Old Age Pension Fund; to define those eligible to share in the distribution of the fund, the time and the manner of making proof of eligibility for an old age pension; etc., and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Roach of Hunt:

H. B. No. 33, A bill to be entitled "An Act defining a pool and billiard table, and providing for the payment of State, county and city occupation taxes, by any person operating a pool or billiard table; providing that no merchandise shall be sold, given away, or exchanged in any enclosure wherein a pool or billiard table is operated or exhibited, and prohibiting gaming therein; defining the class of person to be employed therein; providing the issuance of injunctions for the enforcement of its provisions, etc., and declaring an emergency."

Referred to Committee on Revenue and Taxation.

RELATIVE TO SUPPLIES TO BE FURNISHED BY THE COMMITTEE ON CONTINGENT EXPENSES

Mr. Beck offered the following resolution:

Whereas, The Contingent Expense Committee is desirous of keeping the expenditure within the amount for each member during this Special Session, therefore,

Be It Resolved, That the Chairman of the Contingent Expense Committee, shall have the power and authority to furnish only such supplies as are absolutely necessary during the session to transact the business of the State.

BECK,
DUNLAP of Hays,
HYDER,
ADAMSON.

The resolution was read second time, and was adopted.

MESSAGE FROM THE SENATE

Austin, Texas, September 18, 1935.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to concur in House Amendments to Senate Bill No. 2, and requests the appointment of a Conference Committee to adjust the differences between the two Houses.

The following have been appointed on the part of the Senate:

Senators Redditt, Pace, Small, Rawlings and Reagan.

The Senate has adopted

S. C. R. No. 1, Relating to procuring certain information relative to old age pensions.

Respectfully,

BOB BARKER,
Secretary of the Senate.

MESSAGE FROM THE GOVERNOR

Mr. Edward Clark, secretary to the Governor, appeared at the bar of the House, and being duly announced, presented the following messages from

the Governor, which were read to the House, as follows:

Austin, Texas, September 18, 1935.

To the Members of the Forty-fourth Legislature

(In First Called Session):

I hereby submit to you for immediate consideration a number of corrective measures dealing with local subjects and local institutions so as to validate the various acts of boards of regents and other public officials of the institutions and municipalities set out. These largely are submitted for the purpose of meeting objections of various Federal agencies where loans have been tentatively approved subject to these corrective local measures. They are specifically as follows, to-wit:

1

A bill to amend Article 704, Revised Civil Statutes of Texas of 1925, so as to provide that the election order shall designate the time and place of holding the election; that such election shall be held not less than 15 or not more than 30 days from the date of such order and that notice shall be given by posting a copy of the election order in each election precinct not less than 14 days before the election and in addition shall be published on the same day in each of two successive weeks in a newspaper of general circulation published within said county or city, the date of the first publication to be not less than 14 days before the date set for the election; and to provide that this Act shall control over any provisions in any city charter to the contrary.

2

A bill providing that all bonds, notes or warrants heretofore issued or which have been authorized but not yet issued or which may be hereafter issued under the provisions of Articles 1111 to 1118, inclusive, Revised Civil Statutes of Texas for 1925, including all amendments thereto, to aid in financing any undertaking for which a loan or grant has been made by the United States through the Federal Emergency Administration of Public Works shall be negotiable instruments.

3

A bill amending Section 2 of Chapter 109, Acts of the First Called Session of the Forty-third Legislature

by providing that warrants issued under subdivision (b) thereof shall be negotiable and that the same may be sold for not less than par value to the United States of America acting through the Federal Emergency Administrator of Public Works or other Federal agency, and further providing that all warrants heretofore issued under Sub-division (b), shall be negotiable instruments; and amending Section 4 of said Act so as to provide that powers conferred by this Act shall not be exercised after June 30, 1937.

4

A bill validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by water control and improvement district, water improvement district, irrigation district, conservation and reclamation district, navigation district, road district, school district, county, city or incorporated town of this State for public works projects.

5

A bill validating and approving all proceedings had by cities and towns in the issuance and sale of revenue obligations under the provisions of Articles 1111 to 1118, Revised Civil Statutes of 1925, as amended, to aid in financing any undertaking for which a loan or grant has been made by the United States through the Federal Emergency Administrator of Public Works, or any other governmental agency, declaring that such bonds, notes or warrants shall be valid and binding special obligations of such cities or towns, and validating the pledge of revenues to the payment of said bonds.

6

A bill validating and approving all Acts of the governing bodies of cities and towns of the State of Texas in the issuance and sale of bonds, to aid in financing any undertaking for which a loan or grant has been made by the United States through the Federal Emergency Administration of Public Works or other agency of the United States Government; validating such bonds and the tax levies made for the payment of such bonds.

7

A bill validating all school districts heretofore established, validating all elections and the levy of taxes by

school districts, validating all proceeding had in the issuance of bonds and the levying of taxes therefor, validating bonds heretofore authorized or voted but not yet issued when such bonds are to be used in financing any undertaking for which a loan or grant has been made through the Federal Emergency Administrator of Public Works, providing that this Act shall not apply to districts which may have been established or consolidated and later returned to its original status, providing that this Act shall not apply to any district the organization or creation or tax levy of which is now involved in litigation.

8

A bill validating, ratifying, approving and confirming the Acts of the Board of Regents of the University, Board of Directors of A. and M. College, Board of Directors of the College of Arts and Industries, the Board of Directors of the College of Industrial Arts, and the Board of Regents of the State Teachers Colleges in the issuance of revenue bonds and warrants for the construction of dormitories and other permanent improvements.

I also submit to you the matter of erecting the "Texas Supreme Court Memorial Building." It is a matter of common knowledge that the efficiency of our Supreme Court, Court of Criminal Appeals and Attorney General's Department is shamefully impaired because of crowded quarters and poor conditions under which they must work in the present State Capitol Building.

There is no estimating the financial cost to the State of present conditions under which they must operate, particularly the Attorney General's Department. Even a casual visit to this department will disclose that these legal representatives of the people, who must cope with the best legal talent in the State, are quartered in match box, thinly partitioned offices, with no room for private conferences or study.

An incomplete survey shows almost a dozen state departments and institutions now housed in down town office buildings for lack of quarters in the Capitol Building. The taxpayers are paying the rent which should be applied on the erection of a suitable office building for the courts and Attorney General's Department. If this is done, in my judgment, these various

state agencies now housed in down town office buildings, and paying rent, can be returned to the State Capitol where they belong.

It is my understanding that at the present time with an outlay of not more than \$200,000.00 in cash and the building site on the southwest corner of 11th and Congress, across from the Capitol, we can secure Federal aid for the erection of a beautiful modern state courts building which will be a monument not only to the courts but to the Legislature authorizing same. Incidentally, this will carry on a part of the building program of progress and provide much needed employment for many worthy citizens.

A bill appropriating \$200,000.00 for this purpose, and conditioned upon the securing of this aid from any Federal Government agency, will be offered. This bill is hereby submitted to you for your consideration.

The subject submitted is strictly confined to the matter set out in the bills enumerated above.

Respectfully submitted,

JAMES V. ALLRED,
Governor of Texas.

Austin, Texas,
September 18, 1935.

To the Members of the Forty-fourth
Legislature

(In First Called Session):

I

OLD AGE PENSIONS

On August 24th the people of Texas adopted by their referendum an amendment to the Constitution, authorizing the Legislature to provide for Old Age Pensions. This action followed in the wake of a Congressional Act providing for Federal participation in state pension plans. If this Legislature is to dispose of the people's business within the thirty days to which special sessions of the Legislature are limited by the Constitution, I feel this subject must be submitted to you at the very outset of the session.

Pursuant, therefore, to the people's mandate, I submit to the Legislature the problem of providing for old age pensions for actual bona fide citizens of Texas who are over the age of 65 "under such limitations and restrictions and regulations as may be deemed by the Legislature expedient."

Experience has brought to the attention of all civilized nations the necessity of providing sustenance for useful citizens who have passed the years of productive activity. A policy of humanity and social betterment prompted the Federal Government and the people of Texas to attempt provision for aged citizens.

It now becomes the duty of this Legislature to determine what sort of pension plan is best suited and most practicable under existing conditions to the State of Texas. In determining this problem it behooves the Legislature to consider not alone the immediate results, but as well the far-reaching effects which such a policy may have. It is to be remembered always that this pension plan, when begun, may be expected to long continue.

I regret exceedingly that this Legislature cannot have the benefit of wide experience in other states in setting up a pension system in Texas. There is very little accurate information or data to serve as a guide to the deliberations of this body.

At the time of calling this special session, I requested the State Auditor to prepare and distribute to each member such data as was available. In order that this information may be readily available to you, a copy of such report is hereto attached with the suggestion that same be incorporated in the Journal.

In submitting his report, the State Auditor calls attention to the fact that it is necessarily speculative and is, in the main, a group of anticipatory calculations based upon such meager accurate information as was available. The report shows, however, what has been done by Congress and in other states in establishing a policy of social security legislation.

I urge you to consider the problem carefully in connection with all of the material which has been or which may be made available to you. Bear in mind that we are thrusting the state forward on a new program; that we are beginning a policy without the light of experience to guide us.

I shall be happy at all times to discuss with you the multitudinous problems that will present themselves in the consideration of this topic. I urge every official of the state who may be called upon to supply you information to do his utmost in affording you all available data. I am confident that

this serious and far-reaching problem will receive your mature and deliberate consideration.

Because of the urgent necessity for immediate attention to this subject, I am submitting same without further elaboration at this time. Should the occasion arise, I may supplement this message with further recommendations as to old age pensions during the session.

II

REVENUE AND TAXATION

The old age pension amendment necessarily requires the Legislature to provide means of paying the pensions provided for by such law as you may see fit to pass. For that reason, among others, I deem it my duty to submit to this Legislature the subject of revenue and taxation.

This administration inherited a tremendous deficit. The rural aid appropriation was increased two million dollars by the regular session of the Legislature and three million dollars was voted for the Texas Centennial. In addition, Texas must now begin the retirement of the twenty million dollar bond issue voted in 1933 for relief purposes. These added financial responsibilities, together with the existing deficit, require submission of revenue and taxation so that this Legislature may devise ways and means to provide necessary finances.

III

SPECIFIC TAX RECOMMENDATIONS

In submitting this subject I desire to reiterate the specific recommendations made as to the imposition of special taxes in my tax message during the regular session, dated February 25, 1935. I particularly urge the immediate passage of a real graduated chain store tax, a sulphur tax, a tax on pipe lines, a selective luxury tax and the corrective measures suggested at that time with reference to various franchise taxes.

IV

CHAIN STORE TAX

With particular reference to the chain store tax:

I again direct your attention to the fact that this was a plank in the State Platform of the Democratic Party. In

addition, I believe the local merchants in Texas are surely entitled by this time to a fair chance of sustaining themselves during this period of continued economic difficulty. They have long borne a more than substantial part of the financial burden of the state, and are entitled to have imposed upon their chain store competitors a tax that will require them to contribute their proportionate share of the cost of government.

A congressional investigation of the methods adopted by the national chain stores to freeze out competition and defeat legislation discloses the justice and necessity for the passage of chain store tax legislation. Among other things, this investigation shows that the great foreign chain stores set aside large sums of money to defeat state legislation, including the chain store tax bills introduced during the regular session of this Legislature. The chief lobbyist for these concerns testified that he thought it legitimate, if it became apparent that a chain store bill was going to be passed, to attempt to have it passed in an unconstitutional form so that it would be stricken down by the courts. I caution you, therefore, to proceed carefully. There is, however, no reason why a valid, real graduated chain store tax cannot be enacted.

The revenues received can constitute a just and substantial contribution to needed state revenues. In addition to this, unless something is done to equalize the unfair conditions prevailing and check the rapid growth of these great foreign chains, then our independent business men must ultimately become hirelings of monopolies controlled by holding companies from beyond the state.

V

SULPHUR TAX

Again, I recommend particularly the passage of a substantial increase in the tax levied on sulphur. Texas sulphur deposits are the largest in the world. A majority of the sulphur mined in this state is shipped outside our borders. Evidence has been produced before committees of this Legislature to show that those who have exploited these God given resources in Texas for years have amassed astounding and stupendous profits from a very negligible investment.

This evidence, I think, also shows that the sulphur companies have not borne a reasonable share of the state tax burdens, especially as compared with the owner of non-revenue producing real estate.

With the tremendous deficit we have, the relief bonds which must be retired and the old age pensions to be voted by this Legislature, I think it only fair that this industry make a far more substantial contribution to the cost of government.

VI

TAX DELINQUENCIES

In keeping with a promise made to a distinguished member of the Senate, the late Senator Duggan, I ask you to consider carefully the problem of tax delinquencies. To that end, I call your attention to S. B. 114 introduced during the regular session by Senator Duggan and passed by the Senate. It may be that this bill as passed in the Senate should be amended, but I ask that you earnestly consider the principle involved.

There is no way of estimating the amount of delinquent taxes owed by people who are able to pay; but in this time when we are trying to meet a new and increased financial burden, those who are delinquent and able to pay should be required to meet their share of the cost of government.

VII

TAX COLLECTIONS

I further suggest for your consideration the remedial changes advocated in the report submitted to the regular session of the Legislature by the finance committee on taxation. Where it is possible to more fairly and effectively collect taxes already imposed by amplifying or modifying the machinery of collection, I think this Legislature should give special emphasis to the needed changes.

CONCLUSION

These tax suggestions have been made not to confine the deliberations of this body to these specific measures alone, but are to be considered as cumulative of such other tax measures as the individual members of the Legislature may see fit to support in seeking to solve this broad and comprehensive problem of taxation.

We must be mindful of the fact that Texas has got to have a great deal of money in order to pay for its added activities.

Together we must cooperate in the realization that we are faced with the tremendous responsibility which must be met.

Respectfully submitted,
JAMES V. ALLRED,
Governor of Texas.

COST AND GENERAL PLAN FOR OLD AGE PENSIONS

REPORT TO THE GOVERNOR AND THE FIRST CALLED SESSION OF THE FORTY-FOURTH LEGISLATURE

LETTER OF TRANSMITTAL

This report, at the direction of the Governor, is being submitted to the members of the 44th Legislature for the purpose of making available to it such information as we have been able to gather concerning Old Age Pensions, with a view to presenting both what has been done in the United States Congress toward assisting the States in establishing Old Age Pension plans, and, of the methods used and the results obtained by other States now having Old Age Pension plans. The report also contains information in the nature of estimates as to present conditions in Texas, reflecting upon the problem of establishing the Old Age Pension system of this State. It should be borne in mind that there are very little accurate data available on the subject of Old Age Pensions and that most of the figures shown in this report are estimates based upon such data as are available.

Respectfully submitted,
ORVILLE S. CARPENTER,
State Auditor.
R. B. ANDERSON,
State Tax Commissioner.

ESTIMATED COST

GENERAL STATEMENT

Any statements of the probable cost of Old Age Pensions in Texas must necessarily be estimates based on very meager data, which are not at all accurate. We have used as a starting point the population of Texas as shown by the census for the year 1930.

TOTAL NUMBER 65 AND OVER

Following the method outlined by the U. S. Census Bureau of estimating future population we have arrived at the figure 6,550,476 as being the estimated population of Texas in 1935. Based upon data secured and furnished by the Actuarial Staff of the United States Senate Committee on Economic Security, and taking into consideration the increase from year to year of the percentage of persons who are aged sixty-five and over, it appears that there are in Texas, today, approximately 283,199 people of the age sixty-five and over. Assuming that the ratio between the age groups as shown by the 1930 census will apply to the present population, these people will be divided according to ages as follows:

Age	Number
65-69	112,255
70-75	83,708
Over 75	87,236

Total 283,199

ESTIMATED MAXIMUM COST

\$56,073,402

If Texas pays \$15.00 per month to each of those persons who are aged sixty-five and over in the State in the year 1935, then the pension requirements for this State will be \$50,975,820; and if ten per cent is added to this amount as the estimated administrative cost the total pension requirements of the State will be \$56,073,402.

CLASSIFICATIONS

Using the population and classifications as shown by the Census for 1930 we have worked out the following probable distribution by race and sex of those persons aged sixty-five and over in Texas today:

	Male	Female	Total
Native white	103,815	99,665	203,480
Foreign born,			
White . . .	2,693	2,091	4,784
Negro . . .	20,547	21,021	41,568
Mexican . .	17,069	16,171	33,240
Others . . .	65	62	127
	144,189	139,010	283,199

REDUCING FACTORS

The Constitutional Amendment prescribes certain qualifications that applicants must possess in order to re-

ceive a pension from the State Government, even assuming eligibility by reason of age:

(1) Every pensioner must be a bona fide citizen of Texas.

(2) No pensioner may be a habitual criminal.

(3) No pensioner may be a habitual drunkard.

(4) No pensioner may be an inmate of any State supported institution.

(5) Each pensioner must have been an actual resident of Texas for at least five years during the nine years immediately preceding application for old age assistance and continuously for one year immediately preceding such application.

(6) The Legislature may prescribe "such limitations and restrictions as may be deemed by the Legislature expedient."

In this connection the attention of the Legislature is further directed to Section 1 of the Social Security Act, recently passed by the United States Congress, wherein the following language is employed:

"For the purpose of enabling each state to furnish financial assistance, as far as practicable under the conditions in such state, to aged, needy individuals, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1936, the sum of \$49,750,000, and there is hereby authorized to be appropriated for each fiscal year thereafter a sum sufficient to carry out the purposes of this title. The sums made available under this section shall be used for making payments to states which have submitted, and had approved by the Social Security Board established by Title VII, State plans for old age assistance."

A study of the State laws wherein a pension system is now in effect reveals the following factors as affecting qualifications of an applicant for a pension, assuming age eligibility:

(a) Inmate of any prison, jail, insane asylum, or correctional institution.

(b) Desertion of spouse.

(c) To have failed without just cause to provide support for wife and minor children.

(d) Relatives legally liable and able to support.

(e) Sentence for crime.

(f) Disposed of or deprived oneself of property to qualify for pension.

(g) Need of institutional care.

(h) Recipient of pension from Federal, State, or foreign government.

Reference is made to a photostatic copy attached hereto and marked "Table 15."

It is obvious therefore that the number of persons who will be able to qualify for pensions in Texas is necessarily dependent upon such disqualifications, restrictions and limitations as are adopted by the Texas Legislature in addition to the requirements of the Constitutional Amendment.

ESTIMATES

There is no accurate information available reflecting the number of persons which would be affected by any of the foregoing factors should any or all of them be incorporated in legislation for this State. In estimating therefore the number of persons who may qualify for pensions in Texas out of the 283,199 age-eligibles it is necessary to indulge in generalities:

Dr. Witte, of the United States Senate Committee on Economic Security, estimates that 32 2-3 % of all persons in the United States aged 65 and over are supported by children, relatives, or friends. The percentage of persons of this age in Texas is 92,511.

Dr. Witte estimates that only 13 1-3 % of all persons of eligible age are able to qualify for assistance. This per cent of persons of eligible age in Texas is 37,760.

Dr. Witte estimates that there are 1,000,000 people in the United States who could qualify for old age assistance. Texas' proportion of this 1,000,000 people, based on the proportion of the total population of the United States living in Texas is 47,442.

Adjusting these averages of the experience of the four States having the widest range of experience in this field to the minimum age and residence requirements which will probably be found in the Texas law, there would possibly qualify for assistance in Texas on this basis 62,933.

A letter from Mr. Merrill G. Murray, Acting Executive Director of the Committee on Economic Security, dated September 3, 1935, states as his opinion, that possibly twenty per cent of those of eligible age in Texas might

be able to qualify for old age assistance. Twenty per cent of the estimated number of age eligibles, is 56,640.

There is one definite known condition which has a direct bearing on the number of people who will probably qualify for Old Age Pensions, and that is that in December, 1934, there were 41,787 people on the Relief Rolls in Texas who were sixty-five years of age and over. It appears that this figure is probably an absolute minimum of the number of persons who could qualify.

FEDERAL ASSISTANCE

The Federal Government through the medium of the Social Security Act has provided a plan for assisting the various States in bearing the cost of old age assistance. Briefly stated, the Federal Government will pay:

"(1) An amount, which shall be used exclusively as old age assistance, equal to one-half of the total of the sums expended during such quarter as old age assistance under the State plan with respect to each individual who at the time of such expenditure is sixty-five years of age or older and is not an inmate of a public institution, not counting so much of such expenditure with respect to any individual for any month as exceeds \$30, and (2) 5 per centum of such amount, which shall be used for paying the costs of administering the State plan or for old age assistance, or both, and for no other purpose." (Sec. 3, Social Security Act.)

Section 2 of the Social Security Act states the provisions that must be included in any State plan in order for the State to receive assistance from the Federal Government. For the sake of accuracy and clarity we are quoting Section 2, as follows:

"Section 2. (a) A State plan for old age assistance must (1) provide that it shall be in effect in all political subdivisions of the State, and, if administered by them, be mandatory upon them; (2) provide for financial participation by the State; (3) either provide for the establishment or designation of a single State Agency to administer the plan, or provide for the establishment or designation of a single State Agency to supervise the administration of the plan; (4) provide for granting to any individual, whose claim for old age assistance is

denied, an opportunity for a fair hearing before such State Agency; (5) provide for such methods of administration (other than those relating to selection, tenure of office, and compensation of personnel) as are found by the Board to be necessary for the efficient operation of the plan; (6) provide that the State Agency will make such reports, in such form and containing such information as the Board may from time to time require, and comply with such provisions as the Board may from time to time find necessary to assure the correctness and verification of such reports; and (7) provide that if the States or any of its political subdivisions collect from the estate of any recipient of old age assistance any amount with respect to old age assistance furnished him under the plan, one-half of the net amount so collected shall be promptly paid to the United States. Any payment so made shall be deposited in the Treasury to the credit of the appropriation for the purposes of this Title.

(b) The Board shall approve any plan which fulfills the conditions specified in subsection (a), except that it shall not approve any plan which imposes, as a condition of eligibility for old age assistance under the plan.

(1) An age requirement of more than sixty-five years, except that the plan may impose, effective until January 1, 1940, an age requirement of as much as seventy years; or (2) Any residence requirement which excludes any resident of the State who has resided therein five years during the nine years immediately preceding the application for old age assistance and has resided therein continuously for one year immediately preceding the application; or (3) Any citizenship requirement which excludes any citizen of the United States."

Although large plans have been put into operation by the Federal Government for cooperating with and assisting the various States in the matter of old age pensions, in order to secure such assistance the State must first put into operation a State plan, and must create or designate the machinery or agency for the administration of such State plan, and must provide, by appropriation or otherwise, funds for carrying out the State's part of such plan.

The attention of the Legislature is directed to the fact that these pro-

visions are apparently mandatory and define those essentials which must be a part of any State Pension plan in order for the State to participate in Federal funds for Old Age Pensions. If, therefore, this Legislature does contemplate such participation by the State of Texas it follows that the provisions set out in Section 2 of the Social Security Act should be closely adhered to.

The attention of the Legislature is further directed to the following language in Section 1:

"The sums made available under this section, shall be used for making payments to States which have submitted and had approved by the Social Security Board, established by Title VII (hereinafter referred to as the "Board"), State plans for old age assistance.

In explaining items 5 and 6 of Section 2 of the Social Security Act, Mr. Harrison, reporting for the Committee on Finance of the United States Senate said:

"The methods of administration of the State plan, insofar as they are found by the Social Security Board to be essential to the plan's efficient operation, must be approved by the Board, and reports must be made to the Board; but the State will not be impeded in the exercise of its full discretion in the matters of selection, the tenure of office, and the compensation of State and local personnel."

In connection with the possible assistance that might be received by this State from the United States Government attention is directed to the fact that by Section 1 of the Social Security Act there was appropriated the sum of \$49,750,000:

"For the purpose of enabling each State to furnish financial assistance, as far as practicable under the conditions in such State to aged, needy individuals, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1936, the sum of \$49,750,000, and there is hereby authorized to be appropriated for each fiscal year thereafter a sum sufficient to carry out the purposes of this Title. The sums made available under this section shall be used for making payments to States which have submitted, and had approved by the Social Security Board, established by Title VII (hereinafter referred to as the "Board"), State plans for old age assistance."

We have no way of knowing at this time what part of this amount might become available to the State of Texas as there is no indication in the Act of the basis of apportionment of this sum between the States.

RESULTS IN OTHER STATES

GENERAL STATEMENT

There is attached hereto a table showing the results of operations of Old Age Pension Acts in various States during the year 1934. This table has been compiled by the United States Bureau of Labor Statistics and the Committee on Economic Security and is found on page 5 of the report of the Senate Committee on Finance dated May 13, and being report No. 628. This table shows for each of the states thereon the number of persons of eligible age in the State, number of pensioners and the amount paid them, the maximum monthly pension payable in the State, and the average amount paid monthly to each person during the year 1934.

The following is a running summary of the results of operations of certain State laws for the year 1934. Reference is made to Table II which is attached hereto and shows further details of the operation of State plans.

ARIZONA

Number of persons of eligible age, 9,118.

Number of persons receiving assistance December, 1934, 1,820.

Per cent of total age eligibles receiving assistance, 19.9%.

Average amount paid per person per month, \$19.56.

Features of law:

Age requirement, 70 years.

Residence requirement, 35 years in State.

Disqualifications:

\$300.00 annual income.

Inmates of jails, asylums and correctional institutions.

Disposed of property in order to qualify.

CALIFORNIA

Number of persons of eligible age, 210,379.

Number of persons receiving assistance, December, 1934, 19,619.

Per cent of total age eligibles receiving assistance, 9.3%.

Average amount paid per person per month, \$20.25.

Features of Law:

Age requirement, 70 years.

Residence requirement, 15 years citizenship, 15 years residence in State, 1 year in County.

Disqualifications:

\$3,000 property value and \$365 annual income.

Inmates of jail, asylums and correctional institutions.

Disposed of property in order to qualify.

Inmate of benevolent, charitable, or fraternal institution.

Relatives able and responsible for support.

COLORADO

Number of persons of eligible age, 61,787.

Number of persons receiving assistance December, 1934, 10,008.

Per cent of total age eligibles receiving assistance, 16.2%.

Average amount paid per person per month, \$8.69.

Features of law:

Age requirement, 65 years.

Residence requirement, 15 years State and 5 County.

Disqualifications:

Inmates of jails, asylums and correctional institutions.

Desertion of spouse.

Failure to provide support for wife and minor children.

Relatives legally liable and able to support.

Disposed of property in order to qualify.

Inmate of benevolent, charitable, or fraternal institution.

DELAWARE

Number of persons of eligible age, 16,678.

Number of persons receiving assistance December, 1934, 1,583.

Per cent of total age eligibles receiving assistance, 9.5%.

Average amount paid per person per month, \$9.91.

Features of Law:

Age requirement, 65 years.

Residence requirement, 5 years in State.

Disqualifications:

\$300 annual income.

Inmate of jails, asylums and correctional institutions.

Relatives legally liable and able to support.

Disposed of property in order to qualify.

Habitual tramp, vagrant, or beggar.

Inmate of benevolent, charitable, or fraternal institution.

INDIANA

Number of persons of eligible age, 138,426.

Number of persons receiving assistance December, 1934, 23,533.

Per cent of total age eligibles receiving assistance, 17.0%.

Average amount paid per person per month, \$4.50.

Features of law:

Age requirement, 70 years.

Residence requirement, 15 years citizenship, 15 years in State, 15 years in County.

Disqualifications:

\$1,000 property value; \$180 annual income.

Inmates of jails, asylums and correctional institutions.

Desertion of spouse.

Failure to provide for support of wife and minor children.

Relatives legally liable and able to support.

Sentence for crime.

Disposed of property in order to qualify.

Habitual tramp, beggar or vagrant.

Inmate of benevolent, charitable, or fraternal institution.

MASSACHUSETTS

Number of persons of eligible age, 156,590.

Number of persons receiving assistance March, 1934, 21,473.

Per cent of total age eligible receiving assistance, 13.7%.

Average amount paid per person per month, \$21.84.

Features of law:

Age requirement, 70 years.
 Residence requirement, 15 years citizenship, 20 years State.
 Disqualifications:
 Relatives legally liable and able to support.
 Must be deserving citizen.

MINNESOTA

Number of persons of eligible age, 94,401.
 Number persons receiving assistance December, 1934, 4,334.
 Per cent of total age eligibles receiving assistance, 4.6%.
 Average amount paid per person per month, \$10.77.

Features of Law:

Age requirement, 70 years.
 Residence requirement, 15 years citizenship, 15 years in State, 15 years in County.
 Disqualifications:
 \$3,000 property value, \$365 annual income.
 Inmates of jails, asylums and correctional institutions.
 Failure to provide for support of wife and minor children.
 Relatives legally liable and able to support.
 Sentenced for crime.
 Disposed of property in order to qualify.
 Habitual tramp, vagrant, or beggar.
 Inmate of benevolent, fraternal or charitable institution.

MONTANA

Number of persons of eligible age, 14,377.
 Number of persons receiving assistance December, 1934, 2,780.
 Per cent of total age eligibles receiving assistance, 19.3%.
 Average amount paid per person per month, \$5.32.
Features of Law:
 Age requirement, 70 years.
 Residence requirement, 15 years citizenship, 15 years State.
 Disqualifications:
 \$300 annual income.
 Desertion of spouse.

Failure to support wife and minor children.
 Relatives legally liable and able to support.
 Sentenced for crime.
 Disposed of property in order to qualify.
 Habitual tramp, vagrant, or beggar.

NEW JERSEY

Number of persons of eligible age, 112,594.
 Number of persons receiving assistance December, 1934, 11,401.
 Per cent of total age eligibles receiving assistance, 10.1%.
 Average amount paid per person per month, \$12.96.

Features of Law:

Age requirement, 70 years.
 Residence requirement, 15 years State, 1 County.
 Disqualifications:
 \$3,000 property value.
 Must be unable to maintain self.
 Relatives legally liable and able to support.
 Sentenced for crime.
 Disposed of property in order to qualify.
 In need of institutional care.

NEW YORK

Number of persons of eligible age, 373,878.
 Number of persons receiving assistance December, 1934, 51,834.
 Per cent of total age eligibles receiving assistance, 13.9%.
 Average amount paid per person per month, \$20.36.

Features of Law:

Age requirement, 70 years.
 Residence requirement, 10 years State, 1 County.
 Disqualifications:
 Must be unable to support self.
 Inmates of jails, asylums and correctional institutions.
 Relatives legally liable and able to support.
 Disposed of property in order to qualify.
 In need of institutional care.

OHIO

Number of persons of eligible age, 414,836.

Number of persons receiving assistance December, 1934, 36,543.

Per cent of total age eligibles receiving assistance, 8.8%.

Average amount paid per person per month, \$24.45.

Features of Law:

Age requirement, 65 years.

Residence requirement, 15 years citizenship, 15 State, 1 County.

Disqualifications:

\$3,000 property value, \$300 annual income.

Inmate of jail, asylum and correctional institution.

Failure to support wife and minor children.

Desertion of spouse.

Relatives legally liable and able to support.

Disposed of property in order to qualify.

OREGON

Number of persons of eligible age, 39,133.

Number of persons receiving assistance December, 1934, 6,525.

Per cent of total age eligibles receiving assistance, 16.6%.

Average amount paid per person per month, \$10.64.

Features of Law:

Age requirement, 70 years.

Residence requirement, 15 years citizenship, 15 years State, 2 years County.

Disqualifications:

\$3,000 property value, \$300 annual income.

Inmate of jail, asylum and correctional institution.

Desertion of spouse.

Failure to provide support for wife and minor children.

Relatives legally liable and able to support.

Disposed of property in order to qualify.

Habitual tramp, vagrant, or beggar.

Convicted of crime, involving moral turpitude.

PENNSYLVANIA

Number of persons of eligible age, 289,705.

Number of persons receiving assistance December, 1934, 18,261.

Per cent of total age eligibles receiving assistance, 6.3%.

Average amount paid per person per month, \$21.18.

Features of Law:

Age requirement, 70 years.

Residence requirement, 15 years citizenship, 15 years State.

Disqualifications:

Must be indigent.

Inmates of jails, asylums and correctional institutions.

Desertion of spouse.

Failure to provide support for wife and minor children.

Relatives legally liable and able to support.

Habitual tramp, vagrant, or beggar.

Note: Reference may be made to the tables attached hereto for further details of operation in the States and for full details on other States not shown here:

TABLE II—OPERATION UNDER STATE OLD AGE PENSION ACTS I

State	Number of Eligible Age	Number Pensioners End of 1934	Per Cent of Pen- sioners To Total of Eligible Age	Amount Disbursed
Arizona*	9,118	1,820	19.9	\$ 427,527
California	210,379	19,619	9.3	4,288,508
Colorado*	61,787	10,008	16.2	1,043,120
Delaware	16,678	1,583	9.5	193,231
Idaho	22,310	1,712	7.6	138,443
Indiana	138,426	23,533	17.0	1,134,250
Iowa	184,239	4,589	2.5	121,636
Kentucky	84,252
Maine	69,010
Maryland	92,972	267	.3	65,228
Massachusetts	156,590	b 21,473	13.7	b 5,628,492
Michigan	148,853	3,557	2.4	103,180
Minnesota*	94,401	4,334	4.6	560,254
Montana	14,377	2,780	19.3	177,426
Nebraska*	86,194	694	.8	8,762
Nevada*	4,814	7	...	1,552
New Hampshire	25,714	d 1,423	5.5	e 298,722
New Jersey	112,594	11,401	10.1	1,773,319
New York	373,878	51,834	13.9	12,651,098
North Dakota	30,280	3,914	12.9	24,259
Ohio	414,836	36,543	8.8	1,434,416
Oregon*	39,133	6,525	16.6	639,296
Pennsylvania*	289,705	18,261	6.3	386,717
Utah*	22,665	902	3.0	86,415
Washington*	101,503	1,378	1.4	99,136
West Virginia	73,043
Wisconsin	112,112	a 1,969	1.8	a 395,707
Wyoming*	8,707	706	8.1	81,818
Totals	2,998,570	230,832	7.7	31,620,509

* Figures for 1934 are preliminary only.
a Data are for 1933.

b Year ending March 31, 1934.
c No limit.

d Data are for Dec. 1, 1934.
e Data are for September.

State	Date enacted	Date amended	In effect	Nature of law	Administration	
					State	Local
Alaska	1915	1917, 1919, } 1925, 1929 }	1915	Mandatory.	Alaska Pioneers Home.....	No local administrative
Arizona	1938		1933	do.....	State auditor.....	County old-age pension commission.
California	1929	1931, 1933.	1929	do.....	Department of social welfare, Division of State aid for the aged.	County board of supervisors, local department of welfare.
Colorado	1927	1931, 1933.	1927	do.....	Right of appeal to district court and supreme court.	County court; board of commissioners, trustees.
Delaware	1931	1933.	1931	do.....	State old-age welfare commission.	
Hawaii	1933	1933.	1934	Optional	Territorial auditor	Old-age pension commission.
Idaho	1931		1931	Mandatory.	Department of public welfare.	do.....
Indiana	1933		1934	do.....	State auditor	Board of county commissioners.
Iowa	1934		1934	do.....	Old-age assistance commission.	Old-age assistance board.
Kentucky	1926		1926	Optional	None	County commissioners.
Maine	1933		(*)	Mandatory.	Department of health and welfare.	Old-age pension board.
Maryland	1927	1931.	1927	Optional	None	County commissioners.
Massachusetts	1930	1932, 1933.	1931	Mandatory.	State department of public welfare.	Bureau of old-age assistance.
Michigan	1933		1933	do.....	State welfare department, old-age pension bureau.	Old-age pension board.
Minnesota	1929	1931, 1933.	1929	Optional	None	Board of county commissioners.
Montana	1923		1923	do.....	None	Old-age pension commission.
Nebraska	1933		1933	Mandatory.	Auditor of public accounts.	do.....
Nevada	1925		1925	Optional	None	Board of county commissioners.
New Hampshire.....	1931		1931	Mandatory.	None	County commissioners.
New Jersey	1931	1932, 1933.	1932	do.....	Department of institutions and agencies, division of old-age relief.	County welfare board.
New York	1930	1934.	1930	do.....	State department of social welfare.	Public welfare district.
North Dakota.....	1933		1933	do.....	Secretary of agriculture and labor.	Board of county commissioners.
Ohio	1933		1934	do.....	Department of public welfare, division of aid for the aged.	Board of aid for the aged.
Oregon	1933		1934	do.....	State board of control.....	Old-age pension commission.
Pennsylvania	1934		1934	do.....	Department of welfare.....	Board of trustees of assistance fund.
Utah	1929		1929	do.....	None	Board of county commissioners.
Washington	1933		1933	do.....	None	Board of county commissioners.
West Virginia.....	1931		1931	Optional	None	County court
Wisconsin	1925	1929, 1931, 1933.	1925	(*)	State board of control.....	County judge
Wyoming	1929	1931.	1929	Mandatory.	None	Old-age pension commission.

*Since 1906.

*Annual income of any property to be computed at 3 percent of its value.

*Annual income of any property to be computed at 5 percent of its value.

*Required residence in United States 15 years.

*When Governor can raise funds.

*House in which applicant lives not to be considered property.

*Earnings and gifts up to \$100 exempt.

*Unable to maintain self.

*Mandatory from July 1, 1935, on.

Disqualifications:

- Inmate of any institution.
- Desertion of service.
- To have failed to support family.
- Relatives legally incompetent.
- Sentence for crime.
- Disposed of property.
- Need of institution.
- Recipient of public assistance.

Source: Compiled by Committee on Economic Security from State laws.

PENSION LAWS OF THE UNITED STATES

Fund provided by—	Qualifications for recipients					
	Age	Citizenship	Residence		Property limit	Annual income limit
			State (years)	County (years)		
Territory.....	{ M 65 }	{ Required.....	(¹)	None.....	{ Insufficient means }	{ of support. }
State and county.....	{ W 60 }	{ do.....	35	Required.....	(²)	\$300
do.....	70	15 years.....	15	1.....	\$ 3,000	365
State estate and liquor tax; local liquor tax.	65	do.....	15	5.....	\$ 2,000	365
State current revenues.....	65	Not re- quired. ⁴	5	None.....		300
Counties and cities.....	65	30 years.....	15		(³)	300
County.....	65	15 years.....	10	3.....	(³)	300
State and county.....	70	do.....	15	15.....	\$ 1,000	180
State poll tax.....	65	do.....	10	2.....	(³)	7 365
County.....	70	do.....	10	10.....	2,500	400
No provisions as yet.....	65	Required.....	15	1.....	\$ 300	365
County.....	65	15 years.....	10	10.....		365
State poll tax; liquor tax.....	70	Required.....	20	None.....	None specified.....	
State poll tax.....	70	15 years.....	10	None.....	\$ 3,500	7 365
County, city, town, village.....	70	do.....	15	15.....	\$ 3,000	365
County poor fund.....	70	do.....	15	None.....	(³)	300
County poll tax.....	65	do.....	15	None.....	(³)	300
County.....	65	do.....	10	None.....	\$ 3,000	390
do.....	70	do.....	15	15.....	2,000	360
State inheritance tax and county fund.	70	Required.....	15	1.....	3,000	(³)
State, county, city.....	70	do.....	10	1.....	Unable to support self.	
State special tax.....	68	do.....	20	None.....	(³)	150
State.....	65	15 years.....	15	1.....	{ \$ 3,000; couple }	300
State liquor tax; county general fund.	70	do.....	15	2.....	\$ 3,000	360
State.....	70	do.....	15	None.....	Indigent.....	
County.....	65	do.....	15	5.....	(³)	300
do.....	65	do.....	15	5.....	(³)	360
do.....	65	do.....	10	10.....	No property or income.	
State, county, local.....	70	do.....	15	15.....	\$ 3,000	365
County poor fund.....	65	do.....	15	5.....	(²)	360

- i. Habitual tramp, vagrant, or beggar.
j. Unable to earn at least \$1 per day.
k. Spouse and children able to furnish support.
l. Convicted of crime involving moral turpitude.
m. To have failed to work according to ability.
n. Inmate of benevolent, charitable, or fraternal institution.
o. Husband, wife, parent, or child able and responsible for support.
p. Children liable and able to support.

Other provisions:
A. Transfer of a pension is g
B. Amount of p
C. Allowances fo
D. Payments ma
inmate.

CONFERENCE COMMITTEE ON SENATE BILL NO. 2

On motion of Mr. Leonard, the House granted the request of the Senate for a conference committee, to adjust the differences between the House and Senate, on Senate Bill No. 2.

In accordance with the above action, the Speaker announced the appointment of the following conference committee: Messrs. Leonard, Aikin, Good, Graves and Wood of Montague.

RELATIVE TO CERTAIN INFORMATION IN REGARD TO OLD AGE PENSIONS

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 1, Concerning certain information in regard to old age pensions.

Whereas, The Legislature has been convened in extraordinary session to consider, among other things, the question of providing old age pensions for citizens of this State above the age of sixty-five, under the terms of a recent amendment to the Constitution adopted by a vote of the people on August 24, 1935; and

Whereas, The Legislature has no reliable information as to the number of persons in Texas entitled to receive said pension; and

Whereas, Before the Legislature can act with intelligence in passing a law to provide such pension, and to raise the funds necessary to pay the same, it is deemed advisable to secure such information for the enactment of such legislation; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That the State Auditor, under the direction of a joint committee, composed of members of the Senate and House of Representatives, to be appointed by the Lieutenant Governor and the Speaker of the House, respectfully, in such number as may be deemed advisable by said officers, be authorized to prepare a blank registration form that will furnish to the legislature the facts desired from such persons claiming to be eligible for such pension; that said applicant shall be required to sign and swear to said application form, furnishing the information called for therein, and file the same with the County Clerk of his or her county on or before the first day

of October, 1935; that the State Auditor shall also prepare a form to be used by the County Clerk in making returns from said counties, which will show the number of registrants and such other information as will be called for in the form. It shall be the duty of said County Clerk to transmit forthwith said signed applications together with his formal report to the State Auditor at Austin, Texas.

It shall be the duty of said State Auditor to furnish said registration blanks to the County Clerks of this State in a reasonable proportion to the number of citizens living in the respective counties according to the 1930 Federal Census.

The sum of Seven Hundred Fifty (\$750.00) Dollars, or so much thereof as may be necessary, is hereby appropriated to pay the costs of furnishing and printing said blank forms, and the distribution thereof; said blank forms to be printed under the direction and supervision of the Board of Control.

The resolution was read second time.

Mr. Alsop raised a point of order on further consideration of the resolution on the ground that the resolution seeks to make an appropriation.

On motion of Mr. Keefe, the resolution was referred to the Committee on State Affairs.

ADJOURNMENT

On motion of Mr. Lindsey, the House at 11:20 o'clock a. m., adjourned until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The Committee on Municipal and Private Corporations filed a favorable report on House Bill No. 4.

FOURTH DAY

(Thursday, September 19, 1935)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called and the following Members were present: